

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

KYLE DAVID SCHMITT,

Plaintiff,

v.

GRANT COUNTY SHERIFF'S
DEPARTMENT/JAIL et al.

Defendants.

ORDER

Case No. 21-cv-616-wmc

On September 29, 2021, the court entered an order giving plaintiff Kyle David Schmitt until October 20, 2021, to submit a certified copy of plaintiff's inmate trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of the complaint in support of plaintiff's request to proceed without prepayment of the filing fee. Now plaintiff has filed a letter requesting a waiver of pre-payment of the filing fee because he is indigent and cannot afford to pay the copy cost to obtain the six-month account statement. Plaintiff provides a letter from the sheriff's records office responding to plaintiff's request for three copies of the statement, which they say consists of 11 pages, for a total of 33 pages, at the cost of \$8.25 for the copies. Plaintiff only needs to submit one copy of his statement to the court, not three copies. Because plaintiff may be able to obtain single copy of the trust account statement, plaintiff may have an enlargement of time to provide the trust fund account statement to November 30, 2021. If by November 30, plaintiff is still unable to obtain a six-month trust fund account statement, plaintiff should submit documentation that shows his indigency status or the efforts he has taken to obtain the account statement.

ORDER

IT IS ORDERED that:

1. Plaintiff Kyle David Schmitt's motion for the court to waive pre-payment filing fee in this case, dkt. 4, is DENIED without prejudice.

2. Plaintiff may have an enlargement of time, until November 30, 2021, to submit a certified trust fund account statement for the six-month period immediately preceding the filing of the complaint. If, by November 30, 2021, plaintiff fails to respond to this order, I will assume that plaintiff wishes to withdraw this action voluntarily. In that event, the case will be closed without prejudice to plaintiff filing the case at a later date.

Entered this 2nd day of November, 2021.

BY THE COURT:

/s/
PETER OPPENEER
Magistrate Judge